



**U.S. Department of Energy
Office of Legacy Management
Categorical Exclusion Determination Form**



Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Amendment to LM #7-12 for Fiber Optic Cable Trenching at the Westminster, CO, Office

Location: Westminster, Colorado

Proposed Action or Project Description:

Checklist LM #7-12 identified that facility and structure modifications and enhancements would occur periodically for the Westminster Office building to meet the evolving needs of the DOE occupants and that external construction would be performed by the landlord. A recent trenching project for fiber optic upgrade is within that scope. In fall 2012, LM requested an upgrade to the existing fiber optic cable needed to support the DOENet upgrade efforts at the Westminster Office. The building landlord and the DOE internet service provider installed the cable in a trench 2 to 3 feet wide, 3 to 4 feet deep, and less than 500 feet long. The area of disturbance was in the existing parking lot. Asphalt was removed for conduit to be laid, the trench was dug and backfilled with appropriate fill material, and the asphalt was replaced. The trench depth did not reach groundwater. Best management practices were used to minimize any runoff to on-site storm drains. Any future facility and structure modifications would be performed by the landlord or their subcontractors as required by LM-issued work orders or lease agreements. Disclosed environmental effects for this project were found to be minor and within the thresholds of the applicable categorical exclusions. The proposed actions in the original checklist, the amended checklist, and similar reasonably foreseeable actions are found to be categorically excluded under the National Environmental Policy Act.

Categorical Exclusion(s) Applied:

4.7 Fiber Optic Cable

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

☒ The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; and (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

☒ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

☐ The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.


NEPA Compliance Officer:

04/30/2013
Date Determined: